UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	*	
v.	*	CRIM. NO.
	*	
	*	

ORDER REGARDING USE OF VIDE FOR FELONY PLE		
In accordance with the operative CO		
in accordance with the operative CO	VID 17 Stain	ang orders, and court mas.
That the Defendant (or the Juvenile) has consent	ted to the use of video
teleconferencing/teleconferencing to conduc	t the proceed	ing(s) held today, after consultation
with counsel; and		
That the proceeding(s) to be held to	day cannot b	be further delayed without serious harm
to the interests of justice, for the following	specific reaso	ns:
Accordingly, the proceeding(s) held on this	date may be	conducted by:
Video Teleconferencing		
Teleconferencing, because video to	eleconferenci	ng is not reasonably available for the
following reason:		
The Defendant (or the Juve	enile) is detai	ned at a facility lacking video
teleconferencing capability.		
Other:		
Date:		July lang

United States District Judge

The Court finds that the sentencing hearing to be held today cannot be further delayed without serious harm to the interests of justice, for the following reasons:

- 1. To ensure that the Court is not overwhelmed by cases and proceedings at the conclusion of this period of emergency. Currently, District Judges in New Jersey handle a substantially larger docket of cases than Judges in other Districts in the United States. New criminal cases continue to be assigned by the Court during the emergency. If the Court cannot resolve matters by guilty plea and sentencing, the resulting backlog will overwhelm the Court's ability to effectively function. The concern of such congestion and the particular harm that likely will be caused by delays in the processing of cases and matters in the future is particularly acute in this emergency, at least given that: (1) it is unknown when this emergency will subside and when the Court will be able to function at normal capacity (including, among other things, the empanelment of trial juries) and (2) this District's pre-existing shortage of District Court Judges which already has challenged the Court's ability to process and resolve cases.
- 2. To permit the defendant to obtain a speedy resolution of his case through a timely sentencing to afford appropriate punishment and rehabilitation. The defendant has asked for this case to be resolved today by way of sentencing. The Court is expected to have a substantial backlog of cases on its docket at the conclusion of this period of emergency. At this time, the Court cannot accurately predict where the defendant's case will be prioritized within that backlogged docket. As a result, the defendant's interest in a speedy resolution of his case will be seriously harmed if the proceeding does not occur today.
- 3. To permit the Government to obtain a resolution of the case so that the Government, already operating in a restricted capacity due to the emergency, may appropriately focus its resources on other, emerging criminal matters. The Government has asked for this case to be resolved today by a timely sentencing.
- 4. To permit resolution of the case prior to the end of the time afforded the Government to prosecute such case under the Speedy Trial Act, and therefore without presentment of this matter to the grand jury seeking the return of an indictment. The parties represented during the plea hearing that they jointly wish to resolve this matter pre-indictment and without presentment of this case to the grand jury seeking the return of an indictment.